

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RICHARD R. FURSTENAU,)	
)	
Plaintiff,)	Case No.: 07-CV-6143
)	
v.)	Judge Norgle
)	Magistrate Judge Brown
CITY OF NAPERVILLE, a municipal)	
Corporation; MICHAEL HULL, in his)	
individual and official capacity; DAVID)	JURY TRIAL DEMANDED
DIAL, in his official and individual)	
capacity; MICHAEL CROSS, in his)	
individual and official capacity;)	
PETER BURCHARD, in his official and)	
individual capacity; MARGO ELY,)	
in her individual and official capacity,)	
and JOE MATCHETT, in his individual)	
and official capacity.)	
)	
Defendants.)	

NOTICE OF MOTION

TO: See Attached Service List

PLEASE TAKE NOTICE that on March 7, 2008, at 9:30 a.m., I shall appear before Judge Charles R. Norgle in the courtroom where he usually presides, or before anyone sitting in his stead, in the United States District Court, Northern District of Illinois, Eastern Division, Dirksen Building, Courtroom 2341, Chicago, IL, and then and there present **Defendants Margo Ely, Joe Matchett, and Peter Burchard's Joint Rule 12(b)(6) Motion to Dismiss Plaintiff's Third Amended Complaint**, a copy of which is hereby served upon you via CM/ECF.

Respectfully submitted,

s/John J. Timbo
JOHN J. TIMBO, One of the Attys. for Defendants
JAMES G. SOTOS & ASSOCIATES, LTD.
550 East Devon, Suite 150
Itasca, Illinois 60143
(630) 735-3300
(630)-773-0980 (fax)
jtimbo@jsotoslaw.com

CERTIFICATE OF SERVICE

The undersigned having first been duly sworn under oath, states that he electronically filed a complete copy of the foregoing **Defendants Margo Ely, Joe Matchett, and Peter Burchard's Joint Rule 12(b)(6) Motion to Dismiss Plaintiff's Third Amended Complaint** with the Clerk of the Court on **March 4, 2008**, using the CM/ECF system, which will send notification of such filing to the following counsel of record: see attached Service List.

s/John J. Timbo

John J. Timbo, Attorney No. 06238251

One of the attorneys for Defendants

JAMES G. SOTOS & ASSOCIATES, LTD.

550 East Devon, Suite 150

Itasca, Illinois 60143

630-735-3300

630-773-0980 (fax)

jtimbo@jsotoslaw.com

SERVICE LIST

**RICHARD FURSTENAU V. CITY OF NAPERVILLE, ET AL.
CASE NO.: 07-CV-6143**

ATTORNEYS FOR PLAINTIFF:

John A. Sopuch III
The Collins Law Firm
1770 N. Park Street, Suite 200
Naperville, IL 60563
(630) 527-1595
E-mail: jsopuch@collinslaw.com

Edward John Manzke
The Collins Law Firm
1770 N. Park Street, Suite 200
Naperville, IL 60563
(630) 527-1595
E-mail: ejmanzke@collinslaw.com

Shawn Michael Collins
The Collins Law Firm
1770 N. Park Street, Suite 200
Naperville, IL 60563
(630) 527-1595
E-mail: smc@collinslaw.com

Aaron W. Rapier
The Collins Law Firm
177 N. Park Street, Suite 200
Naperville, IL 60563
(630) 527-1595
E-Mail: arapier@collinslaw.com

ATTORNEYS FOR DEFENDANTS:

Richard Thomas Sikes, Jr.
Freeborn & Peters
311 South Wacker Drive, Suite 300
Chicago, IL 60606
(312) 360-6000
E-mail: rsikes@freebornpeters.com

Terrence J. Sheahan
Freeborn & Peters
311 South Wacker Drive, Suite 300
Chicago, IL 60606
(312) 360-6000
E-mail: tsheahan@freebornpeters.com

Terry A. Ekl and Vincent C. Mancini
Ekl Williams PLLC
Two Arboretum Lakes
901 Warrenville Road, Suite 175
Lisle, IL 60532
(630) 654-0045
E-mail: tekl@eklwilliams.com

Audrey Lane Brodick
Freeborn & Peters
311 South Wacker Drive, Suite 300
Chicago, IL 60606
(312) 360-6000
E-mail: abrodick@freebornpeters.com